

# CHAPMAN & CHAPMAN LLP

ATTORNEYS AND COUNSELORS

CITIZENS NATIONAL BANK - 1 FLOOR  
1001 U.S. HIGHWAY 77 NORTH  
WAXAHACHIE, TEXAS 75165  
OR  
P.O. BOX 641  
WAXAHACHIE, TEXAS 75168

WWW.CHAPMANCHAPMAN.COM

RICHARD E. CHAPMAN (1903-1967)  
SILVENE F. CHAPMAN  
JAMES S. CHAPMAN  
KELLY S. BIRD, LEGAL ASSISTANT  
STEPH BRANCATO, LEGAL ASSISTANT  
WANDA JOSEPH, LEGAL ASSISTANT

**FILED** **RE WAIVED**

2/9780

WAXAHACHIE (972) 937-2720  
METRO (972) 938-2720  
FAX (972) 937-9446

July 5, 2007

Vernon A. Williams, Secretary  
Surface Transportation Board  
Case Control Unit, Suite 713  
1925 K Street, N.W.  
Washington, DC 20423-0001



Re Docket No. AB-33 (Sub-No. 229X), Union Pacific Railroad Company-Abandonment  
Exemption--in Ellis County, Texas (Waxahachie Industrial Lead)

Dear Mr. Williams

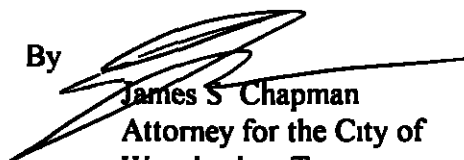
Enclosed please find an original and ten (10) copies of Petition for Extension of Notice of Interim  
Trail Use, for filing with the Board in the above-referenced matter. A copy is being sent served on  
Applicant's representative.

The filing fee is waived for the City of Waxahachie, Texas.

Very truly yours,

CHAPMAN & CHAPMAN LLP

By

  
James S. Chapman  
Attorney for the City of  
Waxahachie, Texas

ENTERED  
Office of Proceedings  
JUL 17 2007  
Part of  
Public Record

JSC/sb  
Enclosures

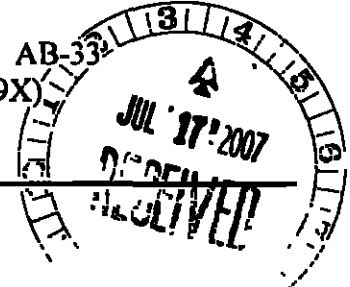
CC Mack H. Shumate  
Union Pacific Railroad  
101 N. Wacker Dr., Room 1920  
Chicago, IL 60606-1718

**FILED**  
JUL 17 2007  
SURFACE  
TRANSPORTATION BOARD

BEFORE THE  
SURFACE TRANSPORTATION BOARD

UNION PACIFIC RAILROAD COMPANY §  
ABANDONMENT EXEMPTION §  
IN ELLIS COUNTY, TEXAS §  
(WAXAHACHIE INDUSTRIAL LEAD) §

DOCKET NO AB-332  
(SUB-NO 229X)



PETITION FOR EXTENSION OF  
NOTICE OF INTERIM TRAIL USE

**FILED**  
**FEE WAIVED**

CITY OF WAXAHACHIE, TEXAS  
401 S Rogers  
Waxahachie, Texas 75165

Proposed Trail User

ENTERED  
Office of Proceedings  
JUL 17 2007  
Part of  
Public Record

**FILED**  
JUL 17 2007  
SURFACE  
TRANSPORTATION BOARD

CHAPMAN & CHAPMAN LLP  
JAMES S CHAPMAN  
P O Box 641  
Waxahachie, Texas 75168  
(972) 938-2720  
(972) 937-9446 (fax)

Attorney for Proposed Trail User

BEFORE THE  
SURFACE TRANSPORTATION BOARD

---

UNION PACIFIC RAILROAD COMPANY  
ABANDONMENT EXEMPTION  
IN ELLIS COUNTY, TEXAS  
(WAXAHACHIE INDUSTRIAL LEAD)

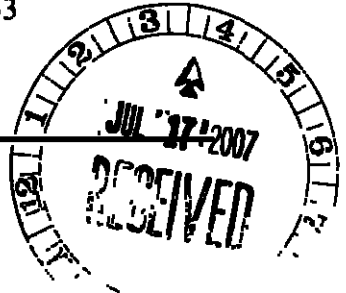
§  
§  
§  
§

DOCKET NO AB-33  
(SUB-NO. 229X)

---

**PETITION FOR EXTENSION FOR  
NOTICE OF INTERIM TRAIL USE**

---



**BACKGROUND**

On February 1, 2006 the Surface Transportation Board ("Board") issued a Decision and Notice of Interim Trail Use or Abandonment the City of Waxahachie, Texas ("City") and Union Pacific Railroad Company ("UP") for the City and UP to be able to negotiate an agreement for interim trail use/railbanking for the Waxahachie Industrial Lead by July 31, 2006

On July 28, 2006, the Board issued a Decision extending the NITU negotiating period to October 29, 2006 On October 27, 2006, the Board issued a Decision extending the NITU negotiating period to December 28, 2006 On December 19, 2006, the Board issued a Decision extending the NITU negotiating period to February 26, 2007 On February 26, the Board issued a Decision extending the NITU negotiating period to April 27, 2007 On May 18, 2007, the Board issued a Decision extending the NITU negotiating period to July 26, 2007

The parties have negotiated in good faith and have reached an agreement It is anticipated that additional time will be needed to complete the appraisal, as UP has encountered survey delays, and complete the transaction An additional ninety (90) days is requested

**CONCLUSION AND REQUESTED RELIEF**

WHEREFORE, it is requested that the Board should issue a ninety (90) day extension for Notice of Trail Interim Use authorizing the City and UP to negotiate for rail banking, interim recreational trail use and potential acquisition in fee of the right-of-way involved in this proceeding

CITY OF WAXAHACHIE, TEXAS  
401 S Rogers  
Waxahachie, Texas 75165

*Proposed Trail User*

CHAPMAN & CHAPMAN LLP  
P O Box 641  
Waxahachie, Texas 75168  
(972) 938-2720  
(972) 937-9446 (fax)

  
\_\_\_\_\_  
JAMES S CHAPMAN

*Attorney for Proposed Trail User*